

ORIGINAL

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C.

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OCT 25 1996

Federal Communications Commission
Office of Secretary

In the Matter of)

Streamlining Broadcast EEO Role)
and Policies, Vacating the EEO)
Forfeiture Policy Statement and)
and Amending Section 1.80 of)
the Commission's Rules To)
Include EEO Forfeiture)
Guidelines)

MM Docket No. 96-16

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To: The Commission

REPLY COMMENTS OF NATIONAL MINORITY T.V., INC.

National Minority T.V., Inc. ("NMTV"), hereby submits its Reply Comments in the above-captioned proceeding.

NMTV is the licensee of Station KNMT(TV), Channel 24, Portland, Oregon. NMTV is a non-profit non-stock corporation with a four-member Board of Directors, three of whom are minorities -- two African Americans and one Hispanic. Because of our minority membership and the success of our minority recruitment efforts at KNMT, NMTV feels uniquely qualified to offer reply comments in this proceeding. NMTV endorses equal employment opportunity and believes that it has been highly successful in promoting EEO at KNMT. Nevertheless, NMTV submits that streamlining of the Commission's rules is in order to relieve the burdensome nature of the FCC's present requirements. NMTV also submits that the proposed forfeiture schedule is unduly harsh and should be modified.

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NMTV acquired the construction permit for Channel 24 in Portland in 1988, and KNMT commenced operation of KNMT(TV) in November 1989. The company has a strong commitment toward employing, training and promoting minorities and females, which is evidenced by the staff at KNMT. Of the station's nine current full-time employees, five are minorities and five are women. The minorities include African Americans, Hispanics and an Asian female.

NMTV has also been successful in training minorities and females. For example, an Hispanic male originally hired for part-time work was promoted to a full-time position after he received on-the-job training in studio lighting, directing, hosting and production. An African American female, with college training but no work experience, who was hired as a full-time master control operator, received on-the-job training in studio lighting, camera operation and directing and was promoted to the position of full-time public affairs/traffic director. Similar successes based upon on-the-job training are evident with respect to the careers of KNMT's other minority and female employees.

Moreover, KNMT's efforts to employ and assist minorities in its community have not stopped at the station door. The station has an active community advisory board which includes minority members who provide advice on programming and service to the community and who also have been guests on station programs.

In addition, KNMT produces local programming geared to the interests of its minority viewers. For example, "Vision 24" is a locally produced regularly scheduled special program which creatively addresses public issues and concerns. One program featured a dramatization depicting inner-city life and the alternative youth programs and outreach efforts offered by a local church as alternatives to violence and drug abuse. Another program dealt with Sister

House, a local outreach for teenage mothers which provides a stable environment and permits them to continue their education while receiving parental and spiritual training. Annually, "Vision 24" airs a special program on Martin Luther King in celebration of his birthday.

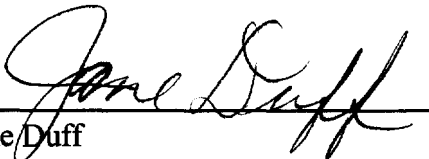
KNMT staff members are presently averaging more than two hundred hours a month on compliance with FCC EEO recruitment and hiring guidelines. This tedious and costly exercise has placed an unnecessary burden on our small station and detracted from time that could be better spent serving the community. Accordingly, NMTV submits that stations with fewer than fifteen full-time employees that meet the FCC's parity guidelines, such as KNMT, should be exempt from the FCC's reporting and recordkeeping requirements. As proposed by the Commission, such stations would file only the first page of Forms 395-B and Form 396-A and the first two pages of Form 396 certifying that they meet the criteria for relief. To the extent that a statutory change is necessary to revise the EEO rules, the Commission should promptly seek such a change.

The Commission should also substantially modify its proposed forfeiture schedule. The fines proposed are far too high for small stations. For instance, the proposal to assess a \$12,500 base forfeiture for "failure to recruit for at least 66% of all vacancies during the period under review" is not based upon any definable rationale. The 66% figure is unusually high, particularly for smaller stations who do not always have the luxury of time for recruiting, and the base forfeiture is unreasonably high for smaller stations. Moreover, it is neither practical nor useful to automatically designate a license renewal application for hearing simply because there was previously a short-term renewal. The Commission must weigh all the circumstances before subjecting licensees and its own staff to the enormous cost and burden of a license renewal hearing.

In sum, while NMTV is committed to recruiting, training and employing minorities and has met with great success in its efforts, it welcomes the Commission's proposal to streamline its EEO rules so as to lessen the burden on broadcasters.

Respectfully submitted,

NATIONAL MINORITY T.V., INC.

By 
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CERTIFICATE OF SERVICE

I, Margie Sutton Chew, a secretary in the law firm of Fisher Wayland Cooper Leader & Zaragoza L.L.P., do hereby certify that true copies of the foregoing **"REPLY COMMENTS OF NATIONAL MINORITY T.V., INC."** was served on this 25th day of October, 1996, by hand-delivery to the following:

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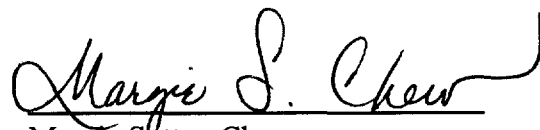
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